

SENATE BILL No. 296

DIGEST OF INTRODUCED BILL

Citations Affected: IC 3-8; IC 3-10; IC 3-11-4-4.

Synopsis: Primary election date. Moves the date of the primary election from May to March.

Effective: July 1, 2007.

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January 11, 2007, read first time and referred to Committee on Local Government and Elections.

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Introduced

First Regular Session 115th General Assembly (2007)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2006 Regular Session of the General Assembly.

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SENATE BILL No. 296

A BILL FOR AN ACT to amend the Indiana Code concerning elections.

Be it enacted by the General Assembly of the State of Indiana:

- 1 SECTION 1. IC 3-8-2-2.6, AS ADDED BY P.L.164-2006,
2 SECTION 56, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2007]: Sec. 2.6. (a) This section applies to a write-in
4 candidate for a school board office to be elected on the same election
5 day that a primary election is conducted.
6 (b) A:
7 (1) declaration of intent to be a write-in candidate; or
8 (2) withdrawal of a declaration;
9 must be subscribed and sworn to before an individual authorized to
10 administer oaths.
11 (c) A declaration of intent to be a write-in candidate for a school
12 board office must be filed:
13 (1) not earlier than ~~the first date specified in IC 3-8-6-10(b) for~~
14 ~~the timely filing of a petition of nomination;~~ **one hundred four**
15 **(104) days;** and
16 (2) not later than noon seventy-four (74) days;
17 before the primary election.

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IN 296—LS 7284/DI 75+



(d) A candidate may withdraw a declaration of intent filed under subsection (c) not later than noon seventy-one (71) days before the primary election.

(e) A question concerning the validity of a declaration of intent to be a write-in candidate for a school board office must be filed with the county election board under IC 3-8-1-2(c) not later than noon sixty-seven (67) days before the date of the primary election. The county election board shall determine all questions regarding the validity of the declaration not later than noon fifty-four (54) days before the date of the primary election.

SECTION 2. IC 3-8-2-10 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 10. A petition required by section 8 of this chapter must be submitted to the circuit court clerk or board of registration: ~~during the period beginning January 1 of the year in which the primary election will be held~~

(1) not earlier than one hundred four (104) days; and ending at

(2) not later than noon seventy-seven (77) days; before the primary election.

SECTION 3. IC 3-8-3-4 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 4. A petition required by section 2 of this chapter must be submitted to the county voter registration office: ~~during the period beginning January 1 of the year in which the primary election will be held~~

(1) not earlier than one hundred four (104) days; and ending at

(2) not later than noon ten (10) days; before the final date for filing a declaration of candidacy under IC 3-8-2-4 for the primary election.

SECTION 4. IC 3-8-4-3, AS AMENDED BY P.L.230-2005, SECTION 27, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 3. (a) This section applies to each political party that elects delegates to the party's state convention at a primary election.

(b) Delegates to a state convention shall be chosen at the primary election conducted by the political party on the first Tuesday after the first Monday in ~~May 2006~~ **March 2008** and every two (2) years thereafter. If provided in the rules of the state committee of the political party, delegates may be elected from delegate districts in each county.

(c) Not later than noon ~~November~~ **September** 30 of the year preceding the year in which the state convention is to be conducted, the state chairman of a political party shall certify the following to the

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election division and to each county committee of the party:

(1) The number of delegates to be elected in each county.

(2) Whether the delegates are to be elected from districts or at large in each county.

(3) If a county is to elect delegates from districts, how many districts must be established in each county.

(d) The county committee shall establish any delegate districts required to be established under subsection (c) and file descriptions setting forth the district boundaries with the county election board not later than noon ~~December~~ **October** 31 of the year preceding the year the state convention is to be conducted. If the county committee does not timely file district descriptions under this subsection, the county election board shall establish districts not later than the first day that a declaration of candidacy may be filed under IC 3-8-2-4, and apportion the delegates to be elected from each district in accordance with subsection (c).

SECTION 5. IC 3-10-1-3 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 3. A primary election shall be held on the first Tuesday after the first Monday in ~~May~~ **March** of each year in which a general election is held.

SECTION 6. IC 3-10-1-4.5, AS AMENDED BY P.L.164-2006, SECTION 64, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 4.5. (a) Except as provided in section 4.6 of this chapter, precinct committeemen shall be elected on the first Tuesday after the first Monday in ~~May 2006~~ **March 2010** and every four (4) years thereafter.

(b) The rules of a political party may specify whether a precinct committeeman elected under subsection (a) continues to serve as a precinct committeeman after the boundaries of the precinct are changed by a precinct establishment order issued under IC 3-11-1.5.

SECTION 7. IC 3-10-1-4.6, AS ADDED BY P.L.164-2006, SECTION 65, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 4.6. (a) This section applies to precinct committeemen elected by the Indiana Republican Party.

(b) Precinct committeemen shall be elected on the first Tuesday after the first Monday in ~~May~~ **March** 2008 and every four (4) years thereafter.

(c) The rules of the Indiana Republican Party may specify whether a precinct committeeman elected under subsection (a) continues to serve as a precinct committeeman after the boundaries of the precinct are changed by a precinct establishment order issued under IC 3-11-1.5.

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SECTION 8. IC 3-10-6-2, AS AMENDED BY P.L.230-2005, SECTION 42, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 2. (a) Except as otherwise provided in this chapter, a municipal primary election shall be held on the first Tuesday after the first Monday in ~~May 2007~~ **March 2011** and every four (4) years thereafter.

(b) Each political party whose nominee received at least ten percent (10%) of the votes cast in the state for secretary of state at the last election shall nominate all candidates to be voted for at the municipal election to be held in November.

SECTION 9. IC 3-10-6-3, AS AMENDED BY P.L.230-2005, SECTION 43, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 3. (a) Notwithstanding section 2 of this chapter, in a town that adopted an ordinance under IC 18-3-1-16(b) (before its repeal on September 1, 1981), P.L.13-1982, SECTION 3 (before its expiration on January 1, 1988), or section 2.5 of this chapter each political party shall, at the primary election in:

(1) ~~May 2006~~ **March 2010** and every four (4) years thereafter;
and

(2) ~~May 2007~~ **March 2011** and every four (4) years thereafter;
nominate candidates for the election to be held under section 6(a) of this chapter, unless a primary election is not required under section 4 of this chapter. The primary election shall be conducted under this chapter.

(b) Notwithstanding section 2 of this chapter, in a town that adopted an ordinance under section 2.6 of this chapter each political party shall, at the primary election in:

(1) ~~May 2006~~ **March 2010** and every four (4) years thereafter;
and

(2) ~~May~~ **March** 2008 and every four (4) years thereafter;
nominate candidates for the election to be held under section 6(b) of this chapter, unless a primary election is not required under section 4 of this chapter. The primary election shall be conducted under this chapter.

(c) Notwithstanding section 2 of this chapter, in a town that adopted an ordinance under section 2.6 of this chapter each political party shall, at the primary election in ~~May~~ **March** 2008 and every four (4) years thereafter, nominate candidates for the election to be held under section 6(c) of this chapter, unless a primary election is not required under section 4 of this chapter. The primary election shall be held under this chapter.

SECTION 10. IC 3-11-4-4 IS AMENDED TO READ AS

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FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 4. (a) Applications may be made:

- (1) in person;
- (2) by fax transmission; or
- (3) by mail;

on application forms furnished by the county election board or approved by the commission.

(b) Application forms shall:

- (1) be furnished to all central committees in the county no later than:

- (A) June 15, for a general election or a special election ordered under IC 3-12-8-17 or IC 3-12-11-18 following the primary election; ~~or~~

- (B) ~~January~~ **November** 15, for a primary election; or

- (C) **January 15** for a special election ordered under IC 3-12-8-17 or IC 3-12-11-18 following the general election;

(2) be:

- (A) mailed; or

- (B) transmitted by fax;

upon request, to a voter applying by mail, by telephone, or by fax; and

(3) be delivered to a voter in person who applies at the circuit court clerk's office.

(c) The county election board shall:

- (1) accept; and

- (2) transmit;

applications for absentee ballots under subsection (a) by fax. A county election board shall accept an application for an absentee ballot transmitted by fax even though the application is delivered to the county election board by a person other than the person submitting the application.

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